



**Trinity NC City Council Regular Meeting
April 16, 2013
7:00 PM
City Hall Annex**

NCGS § 143-318.17 Disruption of official meetings

**A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.
(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)**

Action may be taken on agenda items and other issues discussed during the meeting

Members Present: Mayor, Carlton Boyles; Council members, Chester Ayers, Karen Bridges, Debbie Frazier, Linda Gantt, Tommy Johnson, Barry Lambeth, and Ed Lohr.

Members Absent: Kristen Varner

Others Present: City Manager, Debbie Hinson; Public Works and Utilities Director, Rich Baker; City Attorney, Mr. Bob Wilhoit; Assistant Finance Director, Lisa Beam; Assistant City Clerk, Annette de Ruyter; Planning and Zoning Director, Julie Maybee; members of the Media, and other interested parties.

Call to Order and Welcome Guest and Visitors (Mayor Carlton Boyles)

Mayor Boyles called the meeting to order at 7:10 p.m. He welcomed and thanked all those present for attending the meeting.

Pledge of Allegiance

Mayor Boyles led the Pledge of Allegiance

Invocation

Council member Lambeth led the invocation.

Introduction of New Planning Director/Code Enforcement Officer; Julie Maybee

Mayor Boyles opened the introduction of the new Planner with praise stating that she was very articulate, down to earth, smart, and committed.

City Manager Hinson introduced the City's new Planning Director/ Code Enforcement Officer, Julie Maybee to everyone in attendance. She advised those in attendance that Julie comes to the City from Durham with 20+ years experience and several certifications. We are very happy to have her with us. Julie is excited to be here with us and looks forward to working with each of you.

After her introduction, Ms. Maybee stated that she was pleased to be at the City of Trinity and was looking forward to working with everyone. She felt Trinity was a wonderful community and this would be a wonderful experience for her.

A. Review, Amend, and Approve Agenda

Mayor Boyles opened the April 16, 2013 Meeting Agenda to Council for review, amendments, and approval.

Manager Hinson discussed with Council the e-mail provided to her by Allen Hart, representative for Rural Development in which he suggest that Council consider including authorization to submit the Phase 5 Loan Application as well as execution of the Rural Development format Engineering Contract for Phase 5. All of these items are included in the Preliminary Engineer Report that was provided to Council at a prior meeting. She advised Council that none of the items in this request will commit the City to accept the loan. Once this report is approved by our funding agency, the Council will then consider acceptance or denial of the loan.

Manager Hinson asked Council to allow Item # 5 Approval of Preliminary Engineer Report Phase 5 to be amended to read **Approval of the Preliminary Engineer Report Phase 5, authorize the Mayor and staff to submit the Phase 5 Loan Application with the supporting data, and execute the Rural Development format Engineering Contract for Phase 5.**

Manager Hinson also asked that Council amend the Agenda to include Item # 7 to **Adopt a Resolution Authorizing the City of Trinity to Apply for an Economic Development Grant that will result in expansion of Nova Melt Americas.**

This comes as a result of the City of Trinity and Randolph County's participation in an incentive package of \$5,000.00 each with Nova Melt Americas in an effort to secure a Building Reuse Grant.

The Mayor and I will be included in a conference call tomorrow with Ms. Renfro, Randolph County EDC, a company representative, and the state representative to review the requirements needed for the preliminary report and to move forward. The action tonight if approved, will allow the City of Trinity to complete the paperwork needed for the application for this grant.

There has been no change in the amount of money requested. This action is needed based on Council's previous approval to participate in the Grant.

The last item Manager Hinson discussed with Council was Item 3, Consent Agenda that included the approval of minutes of the March 12, 2013 City Council Pre-Agenda Meeting and minutes of the March 19, 2013 City Council Regular Meeting.

She asked if Council would like to remove these items from the Agenda since the minutes of the March 19, 2013 meeting were not provided to Council until after the Pre-Agenda Meeting.

Motion by Council member Bridges to approve the Agenda with the addition of amending Item #5 to include authorization to submit a loan application and execute the Rural Development Engineering contract and also to add Item # 7 to Apply for the Economic Development Grant for Nova Melt, seconded by Council member Johnson, and approved unanimously by all Council members present with Council member Varner being absent.

Council member Frazier made a motion to remove items # 3 and # 4, minutes of the March 12, 2013 and March 19, 2013 meetings until the next Council meeting, seconded by Council member Ayers and approved 4 to 3 with Council members Bridges, Gantt, and Johnson voting Nay, and Council member Varner absent.

B. Action Item Report (City Manager)

Manager Hinson gave the following report from the April 09, 2013 Pre-Agenda Meeting that listed items, any items that Council took action on.

Item # 5 Approval of Final Plat (Phase 7 Colonial Village)

Manager Hinson advised those present that Council voted and approved by a ***unanimous vote of 8 to 0 to approve the Final Plat only for Phase 7 Colonial Village.***

The City of Trinity assumes no maintenance for streets or any other infrastructure shown on the final plat with this motion. The Deed of Dedication and Maintenance Agreement may be considered as separate Agenda items at the May, 2013 meeting. After the criteria of the Maintenance Agreement and Deed of Dedication are reviewed by the City of Trinity the Certificate of Warranty may also be heard at the same meeting. If all criteria are met the dedication of streets and any other infrastructure will be addressed in the Maintenance Agreement and Certificate of Warranty and is subject to extension if the development is not 85% complete at the date established.

The action taken by Council allowed staff to sign off on the **Final Plat only** that will allow the developer to begin to sell the lots. The City has not assumed any maintenance for the streets or infrastructure for this development at this time.

Public Comments

Citizens are invited to address the City Council on issues that are not listed on the agenda. Residents may speak on agenda items at the time the issue is discussed by the Council. Speakers should not discuss issues that concern the candidacy of any person seeking public office. Please sign up to speak prior to the meeting; when the Mayor calls your name, please step to the lectern and state your name and address for the record; remarks are limited to 3 minutes/speaker; speakers are encouraged to select a spokesperson if several people plan to make similar points. *(Policy adopted 2/17/04; amended 10/14/08; amended 01/15/13)*

Mayor Boyles called for the sign in sheet and was advised no one had signed in to speak. Mayor Boyles opened the floor and called on anyone who wished to speak.

Hearing none, Mayor Boyles proceeded to the next item.

I. Standing Report

Mayor Boyles opened this item to Mr. Baker and Mr. McNeill for briefing to Council on any updates.

1. Infrastructure Projects Update *((Rich Baker, Utilities & Public Works, Director/Randy McNeill, Davis-Martin-Powell & Assoc.)*

A. Phase 4-B Contracts 1 & 2 (Braxton Craven)

Mr. Baker advised members the contractor for this project was Dellinger. Installation of all pipes for this project was completed this week but clean up for this project will be quite a chore with an estimated 3 weeks work. Testing of the system will be completed on Wednesday April 17, 2013. There was a problem with one manhole that required some more work.

Mr. Baker discussed the Braxton Craven Project and shared with Council members that he has been in contact with Attorney Wilhoit and Right of Way Agent, Jimmy Peele in regards to delays that have surfaced with this project. The owners of two (2) pieces of property in this project have passed away as well as their heirs. Mr. Peele and Attorney Wilhoit are searching for the current owners of the property. Mr. Peele has been able to make contact with one of the property owners in Virginia and we should be able to proceed on this location. Mr. Baker asked Mr. Wilhoit if he had further information on the other piece of property.

Attorney Wilhoit discussed with members problems that may be incurred in these types of situations. It creates a lot of issues with finding the heirs of property. These are the types of property that require emanate domain because the property owners cannot be located. He advised Council that he would make contact with Mr. Peele to check on the status of these properties and would report to Council at the Pre-Agenda his findings since they may need to take action in regards to these properties.

B. Phase 5 Sewer Extensions

Mr. Baker shared with Council the status of easement acquirement with this project. It was his belief that most of the easements are in place, and Mr. McNeill has distributed the Preliminary Engineer Report to them at a prior meeting. We are trying to expedite this project so that we can meet our deadlines on this project.

II. Reports

2. Annual Report Randolph County Public Library- Archdale Branch and consideration for funding in the City Budget for 2013-2014.

(Matt Shaw, Librarian)

Mayor Boyles opened this item to Mr. Shaw for his presentation.

Mr. Shaw thanked Mr. Baker for setting up his presentation on the power point, and thanked Mayor and Council for allowing him to speak about the library.

He shared with members of Council and the audience the variety of activities that the library offers that included free Wi-Fi, internet services available for patrons, ability for patrons to make copies, use of public computers, children's programs that are offered at the library as well as library staff's visits to local schools to introduce the children to the library.

He discussed the demand in this area for public meeting space. He advised those present that statistics and request for use of the meeting rooms had increased compared to 2011 as this was a much needed commodity in this area. The meeting room is also used for public meetings due to the lack of space for residents to hold various meetings. The smaller rooms are used for tutoring, job interviews, contracting for jobs, counseling and many other uses.

Mr. Shaw shared with Council a projected use statement as of March 2013. There were 2,517 Trinity residents inside the City limits that have library cards and utilize the facilities. Projected across our total uses this worked out to over 11,000 check outs, over 3,000 computer users, and over 11,000 persons entering the library.

He also shared with Council that the money from last year was used to purchase large print books, children's books, and audio books.

At this time Mr. Shaw thanked Council for allowing him to present this information on behalf of the library and was hopeful that Council would continue to support the library in their upcoming budget, and called for any questions from Council.

Council member Frazier stated the number of card holders in the City of Trinity (2,517) and asked how this number related to the total amount of card holders in the library.

Mr. Shaw advised Council the 2,517 Trinity card holders worked out to 10% of the total library card holders, 30% for the City of Archdale, and 60% of library card holders do not live in Archdale or Trinity but are county residents.

III. Consent Agenda

- 3. Approve minutes of the March 12, 2013 City Council Pre-Agenda Meeting**
(Annette de Ruyter, Assistant City Clerk)
- 4. Approve minutes of the March 19, 2013 City Council Regular Meeting**
(Annette de Ruyter, Assistant City Clerk)

These items were removed from the Agenda under Item A. Review, Amend and Approve Agenda upon motion by Council member Frazier to remove items # 3 and # 4, minutes of the March 12, 2013 and March 19, 2013 meetings until the next Council meeting, seconded by Council member Ayers and approved 4 to 3 with Council members Bridges, Gantt, and Johnson voting Nay. Council member Varner was absent.

IV. New Business

- 5. Approval of the Preliminary Engineer Report Phase 5, authorize the Mayor and staff to submit the Phase 5 Loan Application with the supporting data, and execute the Rural Development format Engineering Contract for Phase 5.**
(Randy McNeill, Davis-Martin-Powell & Assoc.) (as amended under Item A)

Mr. McNeill gave a summary of the Preliminary Engineer Report stating that the estimated project cost for Phase 5 is \$3,640,000.00 (three million six hundred forty thousand) dollars. Based on the amount of money left in the original bond program in the amount of \$15,000,000.00 (fifteen million) dollars, we are requesting a loan in the amount of 3,223,000.00 (three million two hundred twenty three thousand) dollars. This would reflect the City's share of the cost in the amount of \$417,000.00 (four hundred seventeen thousand) dollars. The City has already expended approximately \$450,000.00 (four hundred fifty thousand) dollars, which exceeds their portion.

He advised members that Allen Hart, Rural Development Representative, will be coming to the City on Thursday, April 18, 2013 to go over the loan application with staff and myself, to fill out the form to finalize the request for a loan, and enter a Rural Development Contract.

Mayor Boyles explained to the Council that Rural Development was trying to help us take the action needed to make sure the City did not miss their deadline date of September 2014 for this project.

Mr. McNeill stated that the construction period would be approximately 1 year. The City needs to get the official loan application submitted. Rural Development will try to expedite this process, but it could take some time.

Motion by Council member Johnson to approve the Preliminary Engineer Report Phase 5, authorize the Mayor and staff to submit the Phase 5 Loan Application with the supporting data, and execute the Rural Development format Engineering Contract for Phase 5. The

motion was seconded by Council member Frazier and approved unanimously by all Council members present with Council member Varner being absent.

6. Approval of Agreement between the City of Trinity and Randolph County Health Department to provide Animal Control for FY 13-14 for City of Trinity residents. (City Manager)

Motion by Council member Bridges to approve the Agreement between the City of Trinity and Randolph County Health Department to provide Animal Control for years 2013-2014 for City of Trinity, seconded by Council member Johnson and approved unanimously by all Council members present with Council member Varner being absent.

7. Adopt A Resolution Authorizing the City of Trinity to Apply for an Economic Development Grant that will result in expansion of Nova Melt Americas, LLC.

Mayor Boyles discussed the amount of money that will be cut from the Rural Center funding agency by the State in the new fiscal budget year 2013-2014. The Rural Center had approximately \$17,000,000.00 (seventeen million) dollars in their budget. The State is planning to cut this budget \$10,000,000.00 (ten million) dollars leaving them a budget of only \$7,000,000.00 (seven million dollars) for assistance in their programs.

It was his opinion the reason the Company was asking that this be speeded up was in an effort to receive funding appropriations from the current year fiscal budget or be one of the first to be considered for new year funding before all funds were committed.

Participation in this project has already been approved by Council. This is the paperwork needed to move this project forward.

Motion by Council member Bridges to Adopt the Resolution to Apply for the Economic Development Grant with Nova Melt Americas, seconded by Council member Lambeth and approved unanimously by all Council members present with Council member Varner absent.

V. Staff Reports

• Code Enforcement Report (Rich Baker, Public Works Director)

Mr. Baker discussed the newly devised plan that has been implemented that will allow us to keep up with violations in a more efficient manner. When a complaint call is received a form is filled out and given to the appropriate staff member. The office will keep a copy of the same complaint in a notebook at City Hall. This complaint notebook will be reviewed weekly for updates on any complaints not closed out with procedures documented. Once the violation has been investigated and reviewed it is then filed in the same notebook for future reference. The staff is working

together to follow up on complaints and keeping a more detailed record of them from the time the complaint is received until the complaint issue is resolved.

Mr. Baker gave the following summary concerning items received during the second part of March, 2013 as well as permits that were issued.

- **4 septic reviews and repairs**

Total 10 zoning permits

- **2 new home construction permits**
- **6 accessory permits which includes swimming pools**
- **2 commercial zoning permits which include Jowat and Nova Melt. Americas**

Code Enforcement

Mr. Baker discussed the information that was currently listed on the Code Enforcement Report. He advised members that there was 8 new cases received and 3 cases were resolved. He discussed one complaint that was set to expire and if not finished would soon begin to incur civil penalties until clean up was finished.

He also shared with members a complaint he had received from Hunts Knoll Lane near the ETJ area. He said the property owner has promised it will be cleaned up within 20 days. He is out of town at the present time but will make sure it will be cleaned up.

Mr. Baker reviewed pictures of violations via power point and updated Council members on the status of each violation. It was Mr. Baker's opinion that this list would increase with the new system that has been implemented. These complaints will still be anonymous even though there is a section on the form for the caller's name.

Council member Ayers inquired about the property violations concerning equipment and concrete tile located around Evergreen and Gaddy Place. Mr. Baker reassured Council that he will get that information, put on the spreadsheet, and give an update at the next meeting on this property.

Mr. Baker discussed violations that were reported by two Council members concerning condemnation that were not on the list. He advised Council that the mobile home on Meadowbrook had been removed from the trailer park and the other house on Trinity Road has been condemned. Even though the house has been condemned the County does not physically remove the home. They give the owners the options to repair the home, tear it down, or sell it. Mr. Baker stated "it was his understanding the owner of the property on Trinity Road did not have the means to tear this house down. In the past the City has funded this with some type of debt repayment." After the time for the owner has expired the City will need to investigate whether or not they wish to tear this house down at their expense.

Council member Lohr discussed a neighbor that has 50+ acres and a letter he received because there had been an anonymous complaint that he had a trailer court on his property. He questioned why the City chased anonymous complaints, and asked what the point in doing this was. Council member Lohr stated the property owner invited someone to come out and no one came did.

Mr. Baker responded to Council by stating that when we get a call it is our responsibility to go and check on them since this new reporting method has been established. We take photographs of the reported violation. Once we go on these calls we can see if they are in violation or not. Most of the issues can be corrected then; just talking to the resident will correct the issue in some cases.

- **Update on City Haul** (*Rich Baker, Public Works Director*)

Mr. Baker informed those present that the dates for City Haul for this year had been set. The dates for this event is May 16th, 17th, and 18th and it will be held at the soccer field on Turnpike Road. The hours of operation will be 8:30 am to 4:30 pm on Thursday and Friday with the hours on Saturday being 8:30 am-12:30 pm.

We will be taking automobile batteries this year, computers, household batteries and florescent lighting. This really will be beneficial to the city residents in allowing them to dispose of their garbage.

VI. Business from City Manager and Staff

Manager Hinson advised members that she will be in contact with the Finance Committee in reference to the budget for 2013-2014. After the Finance Committee it will be presented to the Council for final review and then final approval.

Manager Hinson asked Council member Bridges and Council member Lambeth to check their calendar for a good time for the Committee to meet.

VII. Business from Mayor

- Mayor Boyles shared with Council that he had been asked to have his picture made with Flat Stanley. Flat Stanley is a flat doll and was originated from Samuel Woody that lives Swannanoa NC. This is a project that various schools do that allows the children to learn about cities and to see how far the doll travels.
- Mayor Boyles discussed the highway clean-up from Highway 62 (Unity St.) to Surret Drive. If we do not get the highway cleaned we will lose our contract.

This was done in remembrance of Jake Carroll. He lost his life defending our country and made the ultimate sacrifice for our freedom.

This is our way of remembering this young man. His family felt special about the fact that he was still alive in the memory of his teammates at school, those that went with him, and also his country. This is what I remember about him. Heroism, his loyalty, his sacrifice, and his love for God, family, and his county. He wanted to go and protect his country.

The Mayor's challenge was to let the City continue to honor him by continuing to clean up this portion of dedicated roadway in honor of his memory.

We have planned our clean up on April 18, 2013 at 9:00 a.m. The next time that we will do this will be June 20, 2013 and that will put us back on our quarterly schedule. Those participating on April 18, 2013, will have all materials furnished and will also be given a sausage biscuit and coffee.

He advised anyone who wanted to participate to make sure they signed up on the sheet at the back of the meeting room so that we could make sure we had enough food for everyone.

VIII. Business from Council

- Council member Lohr said his greatest honor and thrill was riding in Jacob's car. Council member Lohr shared his hopes that people will come out to honor Jacob Carroll.
- Council member Lohr discussed a handout that he had placed at each Council member's place prior to the beginning of the meeting concerning his ideas on saving money as far as outsourcing. We currently outsource trash service and police protection for the city as ways to save money. This was provided as food for thought on ways to save money. The money is running out.

IX. Adjournment

Motion by Council member Lambeth to adjourn the April 16, 2013 Meeting at 8:10 pm, seconded by Council member Ayers, and approved unanimously by all Council members present, with Council member Varner being absent.

These minutes were approved by the Trinity City Council on May 21, 2013 at their Regular Meeting upon motion by Council member Frazier to approve the minutes as listed on the Consent Agenda. The motion was seconded by Council member Lambeth and approved unanimously by all Council members present. There were no Council members absent at the May 21, 2013 meeting.

Carlton Boyles, Mayor

Date

Annette deRuyter, Assistant City Clerk

Date